IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No. 24002 of 2004

Between:

The Asthane Noor-E-Elahi, Noor Sha-Vali, Dargah Managing Committee,
Rapoor, rep., by its Secretary Faqruddin, s/o Khajamiya,
R/o Kothapet, Rapoor, Nellore District.

..... PETITIONER

AND

1 The District Collector, Nellore, Nellore District.
2 The District Revenue Officer (Wakfs), Collectorate, Nellore,
Nellore District.
3 The Inspector-Auditor (Wakfs) Nellore Circle, Collectorate,
Nellore, Nellore District.
4 The Mandal Revenue Officer, Rapoor (M), Nellore District.
5 Khajim Alisha @ Khareeb Baba,
R/o Dargah Ground, Rapoor, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in conducting the auction for Custard Apple (Sithapal) and Fishing Rights situated in the petitioner's land in Sy.No.787 to 792 and 804 to 806, in Rapoor (V) and Rapoor (M), Nellore District as illegal, arbitrary, unjust and against all norms and rules of the Wakf Act, consequently direct the respondents not to conduct any auction for the schedule properties of the petitioner's above mentioned Survey Numbers.

Counsel for the Petitioner : Mr.G.JAGADEESWAR

Counsel for Respondents 1 to 4: G.P. FOR REVENUE

The Court made the following :

ORDER:

Questioning the action of the respondents in conducting the auction for Custard Apple (Sithapal) and Fishing Rights situated in the petitioner's land in Sy.No.787 to 792 and 804 to 806, in Rapoor (V) and Rapoor (M), Nellore District the present writ petition is filed seeking to direct the respondents not to conduct any auction for the schedule properties of the petitioner.

It is represented that the auction which is the subject matter of the present writ petition, was already held and in view of the same, the writ petition had become infructuous.

In view of the above, the writ petition is dismissed as having become infructuous. No costs.

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P.S.NARAYANA, J

Date: 29.4.2005

DA/DVS

To

1 The District Collector, Nellore, Nellore District.
2 The District Revenue Officer (Wakfs), Collectorate, Nellore, Nellore District.
3 The Inspector-Auditor (Wakfs) Nellore Circle, Collectorate, Nellore, Nellore District.
4 The Mandal Revenue Officer, Rapoor (M), Nellore District.

5 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

6 Two CD copies.